S.B.Cr.Misc. II Bail App. No. 5337/2007
(Bhanwar Lal Vs. State of Rajasthan)

Date of order : 29/10/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. M.K.Garg for the petitioner.
Mr. Ashok Upadhyay, Public Prosecutor.

This is second bail application.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned.

After rejecting the earlier bail application by order dated 20.11.2006, the trial court has recorded the statements of prosecution witnesses. Learned counsel for the petitioner has placed on record the statement of prosecution witnesses who have not supported the prosecution case and turned hostile.

In this view of the matter, when the prosecution witnesses did not support the prosecution case and turned hostile, looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Bhanwar Lal S/o Uda Ram be released on bail in FIR No. 342/2005 P.S. Raisinghnagar, provided he executes a personal bond for a sum of Rs. 20,000/- with two sound

and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP